

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRANDON RESCH,

Plaintiff,

v.

ANDRE EDGAR-LINDHOUT, *et*
al.,

Defendants.

/

Case No. 22-12165

Bernard A. Friedman
United States District Judge

Curtis Ivy, Jr.
United States Magistrate Judge

ORDER SUA SPONTE STAYING CASE

Plaintiff Brandon Resch filed this prisoner civil rights lawsuit on September 13, 2022, without the assistance of counsel. Defendants Andrea Edgar-Lindhout, Beth Kalis, Unknown Barden, and Corizon Medical Services, Inc, have not been served with the complaint. The individual defendants are alleged to be employees of Corizon. Corizon Medical Services, Inc., recently filed for bankruptcy. This is perhaps to blame in part for the failure to serve some of these defendants.

This Court's "power to stay proceedings is incidental to the power inherent in every court to control the disposition of the cases on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *Clinton v. Jones*, 520 U.S. 681, 706 (1997). Even so, "it is . . . clear that a court must tread carefully in granting a stay of proceedings, since a party has a right to a determination of its rights and liabilities without undue

delay.” *Ohio Envtl. Council v. U.S. Dist. Court, S. Dist. of Ohio, E. Div.*, 565 F.2d 393, 396 (6th Cir. 1977).

Considering Corizon’s bankruptcy filing, the Court concludes good cause exists for a stay of proceedings. The Court shall **STAY** this matter for **45 days** against all Defendants. The Court anticipates obtaining more information about the bankruptcy and the relative positions of Corizon and its employees within that time.

IT IS SO ORDERED.

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge’s ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: April 18, 2023

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System or by First Class U.S. mail on April 18, 2023.

s/Kristen MacKay

Case Manager

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